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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,494	02/13/2001	Stephen L. Buchwalter	YOR920000745US1(14029)	9921

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EXAMINER

NGUYEN, KHIEM D

ART UNIT PAPER NUMBER

2823

DATE MAILED: 01/27/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action

Application No.

09/782,494

Applicant(s)

BUCHWALTER ET AL.

Examiner

Khiem D Nguyen

Art Unit

2823

--The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

THE REPLY FILED 29 December 2003 FAILS TO PLACE THIS APPLICATION IN CONDITION FOR ALLOWANCE. Therefore, further action by the applicant is required to avoid abandonment of this application. A proper reply to a final rejection under 37 CFR 1.113 may only be either: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114.

PERIOD FOR REPLY [check either a) or b)]

- a) ☒ The period for reply expires 4 months from the mailing date of the final rejection.
- b) ☐ The period for reply expires on: (1) the mailing date of this Advisory Action, or (2) the date set forth in the final rejection, whichever is later. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of the final rejection. **ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS FILED WITHIN TWO MONTHS OF THE FINAL REJECTION.** See MPEP 706.07(f).

Extensions of time may be obtained under 37 CFR 1.136(a). The date on which the petition under 37 CFR 1.136(a) and the appropriate extension fee have been filed is the date for purposes of determining the period of extension and the corresponding amount of the fee. The appropriate extension fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the shortened statutory period for reply originally set in the final Office action; or (2) as set forth in (b) above, if checked. Any reply received by the Office later than three months after the mailing date of the final rejection, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

1. ☐ A Notice of Appeal was filed on _____. Appellant's Brief must be filed within the period set forth in 37 CFR 1.192(a), or any extension thereof (37 CFR 1.191(d)), to avoid dismissal of the appeal.
2. ☐ The proposed amendment(s) will not be entered because:
- (a) ☐ they raise new issues that would require further consideration and/or search (see NOTE below);
 - (b) ☐ they raise the issue of new matter (see Note below);
 - (c) ☐ they are not deemed to place the application in better form for appeal by materially reducing or simplifying the issues for appeal; and/or
 - (d) ☐ they present additional claims without canceling a corresponding number of finally rejected claims.

NOTE: _____

3. ☐ Applicant's reply has overcome the following rejection(s): _____.
4. ☐ Newly proposed or amended claim(s) _____ would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claim(s).
5. ☒ The a) ☐ affidavit, b) ☒ exhibit, or c) ☒ request for reconsideration has been considered but does NOT place the application in condition for allowance because: See Continuation Sheet.
6. ☐ The affidavit or exhibit will NOT be considered because it is not directed SOLELY to issues which were newly raised by the Examiner in the final rejection.
7. ☒ For purposes of Appeal, the proposed amendment(s) a) ☐ will not be entered or b) ☒ will be entered and an explanation of how the new or amended claims would be rejected is provided below or appended.

The status of the claim(s) is (or will be) as follows:

Claim(s) allowed: 21 and 22.Claim(s) objected to: none.Claim(s) rejected: 1-20.Claim(s) withdrawn from consideration: 23-32.

8. ☐ The proposed drawing correction filed on _____ is a) ☐ approved or b) ☐ disapproved by the Examiner.
9. ☐ Note the attached Information Disclosure Statement(s) (PTO-1449) Paper No(s). _____.
10. ☐ Other: _____


WILLIAM DAVID COLEMAN
Primary Examiner

Continuation of 5. does NOT place the application in condition for allowance because: Applicant's Declaration Pursuant to C.F.R. § 1.131 received December 29th, 2003 fails to overcome the earliest effective filing date of Coyle (U.S. Pub. 2002/0105092). Although Applicants have provided photocopies of drawings and records. There is no explanation that has been satisfactorily explained pertaining to the reduction to practice prior to the effective date of the reference.

In response to Applicant's argument that the applied reference Gilleo et al. (U.S. Patent 6,228,678) fails to teach or suggest, "forming a second polymeric material that is partially cured to a B-stage state atop the first polymeric material and the conductive bump material", examiner respectfully disagree, since Applicant's Declaration Pursuant to C.F.R. § 1.131 fails to overcome the earliest effective filing date of Coyle (U.S. Pub. 2002/0105092). Coyle can still be used as a secondary reference in the Office Action. Applicants are directed to page 5, 1st and 2nd paragraphs presented in the Office Action (paper No. 14), which stated Gilleo discloses forming a second polymeric material composed of flux material atop the first polymeric material and the conductive bump material but fails to teach partially cured to a B-stage state the second polymeric material. Coyle discloses forming a second polymeric material 58 that is partially cured to a B-stage state atop the first polymeric material 54 and the conductive bump material 51 (page 3, paragraphs [0045]-[0046] and FIGS. 5a-c) It would have been obvious to one of ordinary skill in the art of making semiconductor devices to combine the teaching of Gilleo and Coyle to enable the second polymeric material of Gilleo to be formed and furthermore to obtain a high performance, high speed, low inductance package (page 1, paragraph [0011]).

For these reasons, examiner holds the rejection proper.